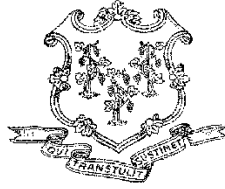


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Good morning Sen. Winfield, Rep. Stafstrom, and members of the Judiciary Committee.

I would like to express my support for SB 1062 AN ACT CONCERNING THE PROVISION OF EMERGENCY MEDICAL SERVICES TO AN INDIVIDUAL WHO IS IN DIRECT CONTACT WITH OR IN THE CUSTODY OR CONTROL OF A PEACE OFFICER, SB 1230 AN ACT EXPANDING ACCESS TO PUBLIC DEFENDER SERVICES and SB 952 AN ACT CONCERNING PAROLE ELIGIBILITY FOR AN INDIVIDUAL SERVING A LENGTHY SENTENCE FOR A CRIME COMMITTED BEFORE THE INDIVIDUAL REACHED THE AGE OF TWENTY-FIVE.

SB 1062 would require the provision of emergency medical services to an individual who experiences an emergency medical condition or is medically unstable while in direct contact with or in the custody or control of a peace officer. This issue was brought to my attention by the Medical Civil Rights Initiative which was organized by a group of physicians and others at Massachusetts General Hospital and Brigham and Women's Hospital. Their goal is to address this statutory gap that leads to poor medical outcomes for persons who have pre-arrest encounters with law enforcement. The Initiative points

out in an op-ed in the New England Journal of Medicine¹ that "at present, there is no legal right in any U.S. jurisdiction for a person in an encounter with police to request and be provided immediate emergency medical care by an objective clinical entity." We have all seen too many videos of police encounters in which a person in police custody cries out "I cannot breathe " before permanently ceasing to breathe. Obviously, there are many cases with less tragic endings that could have better outcomes with the provision of needed medical assistance. Police officers often (by necessity) have encounters with people who have either emergent physical health or emergent mental health needs and the officers do not always have sufficient training for these encounters. Creating this civil right would ensure that these medical needs are met by appropriately trained medical staff. Encouraging clinical interventions by medical staff would allow police officers to remain focused on public safety and allow emergent medical needs to be addressed by medical personnel.

This issue would have been addressed by SB 445 which passed the Senate unanimously in 2022 but was not taken up by the House. The month after session ended last year, we all saw the tragic case of Randy Cox who was placed in a New Haven police van and transported to the Union Ave. Detention Center. During the ride Mr. Cox suffered a broken neck among other injuries and remains paralyzed. Despite his pleas for help, he was not provided immediate medical care. While the behavior of

¹ n engl j med 385;6 nejm.org August 5, 2021

the officers may have violated department policy, there was no clear state law that required immediate medical care. I urge passage of this bill to prevent similar tragedies.

SB 1230 would expand access to public defender services by increasing the income limit to 250% of the federal poverty level. Defendants whose incomes are just above that which qualifies for public defender services are the most vulnerable people in our justice system. They make slightly more than would allow them to use public defender services but nowhere near enough to afford quality legal representation. These defendants may be unable to have a fair chance in our justice system. SB 1230 would be a step forward in assisting this vulnerable population.

SB 952 AN ACT CONCERNING PAROLE ELIGIBILITY FOR AN INDIVIDUAL SERVING A LENGTHY SENTENCE FOR A CRIME COMMITTED BEFORE THE INDIVIDUAL REACHED THE AGE OF TWENTY-FIVE would broaden eligibility for parole to include some individuals serving long sentences for crimes committed before the individual was twenty-five years of age. These changes were made with respect to defendants up to age 18 in 2015 because research illustrated that brain development is such that children and very young adults do not have the same judgment capacity as adults. It would appear that even young adults in their early 20s do not have fully developed brains that allow appropriate analysis of consequence. By broadening access to parole up to age 25 we would be following current research and giving some young people who have made a potentially tragic mistake an opportunity to become productive members of society.

Thank you for hearing these important bills.